

## § 947.15

committee and approved by the Secretary.

### § 947.15 Grade and size.

*Grade* means any one of the officially established grades of potatoes, and *size* means any one of the officially established sizes of potatoes, as defined and set forth in:

(a) The U.S. Standards for Potatoes issued by the U.S. Department of Agriculture (§§ 51.1540 to 51.1556 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(b) U.S. Consumer Standards for Potatoes as issued by the U.S. Department of Agriculture (§§ 51.1575 to 51.1587 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(c) U.S. Standards for Grades of Potatoes for Processing as issued by the U.S. Department of Agriculture (§§ 51.3410 to 51.3424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(d) U.S. Standards for Grades of Peeled Potatoes (§§ 52.2421 to 52.2433 of this title), or amendments thereto, or modifications thereof, or variations based thereon; and

(e) Standards for potatoes issued by the State of Oregon or California, or amendments thereto, or modifications thereof, or variations based thereon.

[35 FR 10741, July 2, 1970]

### § 947.16 Grading.

*Grading* is synonymous with *preparing for market* which means the sorting or separating of potatoes into grades and sizes for market purposes.

### § 947.17 Export.

*Export* means shipment of potatoes beyond the boundaries of continental United States.

### § 947.18 District.

*District* means each one of the geographical divisions of the production area established pursuant to § 947.32.

## 7 CFR Ch. IX (1-1-08 Edition)

### ADMINISTRATIVE COMMITTEE

### § 947.25 Establishment and membership.

(a) The Oregon-California Potato Committee consisting of 14 members, of whom nine shall be producers and five shall be handlers, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

(b) An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate during such member's absence. In the event of the death, removal, resignation, or disqualification of a member his alternate shall act for him until a successor for such member is selected and has qualified.

[20 FR 7068, Sept. 21, 1955, as amended at 35 FR 10741, July 2, 1970]

### § 947.26 Procedure.

(a) Nine members of the committee shall be necessary to constitute a quorum and nine concurring votes shall be required to pass any motion or approve any committee action.

(b) The committee may provide for meeting by telephone, telegraph, or other means of communication and any vote cast at such meeting shall be confirmed promptly in writing: *Provided*, That if any assembled meeting is held, all votes shall be cast in person.

[20 FR 7068, Sept. 21, 1955, as amended at 35 FR 10741, July 2, 1970]

### § 947.27 Selection.

(a) Persons selected as committee members or alternates to represent producers or handlers shall be producers or handlers, respectively, or officers or employees of a corporate producer or handler, respectively, in the district for which selected and shall be residents of such district.

(b) The Secretary shall select three producer members of the committee, with their respective alternates, from District No. 1; two producer members, with their respective alternates, from each of Districts No. 2 and No. 4; and one producer member, with his respective alternate, from each of Districts No. 3 and No. 5. The Secretary shall

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also select one handler member of the committee with his respective alternate, from each of Districts Nos. 1, 2, 3, 4, and 5.

(c) Any person selected by the Secretary as a committee member or as an alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

[20 FR 7068, Sept. 21, 1955, as amended at 35 FR 10742, July 2, 1970]

### § 947.28 Term of office.

(a) Except as otherwise provided in this section, the term of office of committee members and alternates shall be 2 years beginning June 1 and ending May 31. The terms of office of members and alternates shall be so determined that approximately one-half of the total producer committee membership and approximately one-half of the total handler committee membership shall terminate each May 31.

(b) Committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during the current term of office and continuing until the end thereof, and until their successors are selected and have qualified.

(c) The initial producer member and his alternate for District No. 5 shall be selected for a period of 2 years beginning with the committee selected for the term of office beginning June 1, 1970, through May 31, 1972. The initial handler member and his alternate for District No. 5 shall be selected for a 1-year term of office beginning June 1, 1970, through May 31, 1971, and thereafter each term of office shall be for 2 years.

[20 FR 7068, Sept. 21, 1955, as amended at 35 FR 10742, July 2, 1970]

### § 947.29 Powers.

The committee shall have the following powers:

(a) To administer the provisions of this subpart in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

### § 947.30 Duties.

It shall be the duty of the committee:

(a) At the beginning of each fiscal period, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees of committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To act as intermediary between the Secretary and any producer or handler;

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person;

(e) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes;

(f) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative;

(g) To make available to producers and handlers the committee voting record on recommended regulations and on other matters of policy;

(h) At the beginning of each fiscal period, to submit to the Secretary a budget of its expenses for such fiscal period, together with a report thereon;

(i) To cause the books of the committee to be audited by a competent accountant at least once each fiscal period, and at such other time as the committee may deem necessary or as the Secretary may request, and the report of such audit shall show the receipt and expenditure of funds collected pursuant to this subpart; and, a copy of each such report shall be made available at the principal office of the